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U.S. LAWMAKER PRAISES BUSH'S TIMELY REACTION TO DARFUR CRISIS

Representative Chris Smith cites "strong leadership" by president

By Jim Fisher-Thompson
Washington File Staff Writer

Washington -- Representative Chris Smith (Republican of New Jersey), who in the past has voiced disappointment with the slow reaction of international donors to the Darfur crisis, praised President Bush for showing "strong leadership" after the president outlined immediate steps to bring relief to the more than 2 million people suffering because of events in western Sudan.

Smith's comments followed May 8 televised comments by Bush in which the president said he would ask Congress for \$225 million in extra emergency funding for Darfur and pledged immediately to send five ships carrying food aid to Sudan. The president also committed to purchase another 40,000 metric tons of food for "rapid shipment" there, and to work with NATO to buttress 7,000 beleaguered African Union peacekeepers in Darfur.

Because of a lack of funds, the U.N. World Food Programme has cut food rations in Darfur camps by 50 percent in May, an act affecting close to 2.8 million people.

In a statement released after the president's speech, Smith said, "On the heels of the peace agreement [signed May 5 in Abuja between the Khartoum

government and a leading rebel group in Darfur], the proposals offered by President Bush today are reflective of his strong leadership on Darfur.”

In his speech, Bush said, “America and other nations must work quickly to increase security on the ground in Darfur.” To that end, he said, he phoned Sudanese President Umar Hassan Ahmad al-Bashir,”both to commend him on his work for this [Abuja] agreement and to urge the government to express clear support for a U.N. force.”

Smith, who visited refugee camps in Darfur in August 2005, said: “Our first priority must be to help create a sense of security so that refugees and IDPs [internally displaced persons] can return to their homes and rebuild. Today’s actions [by Bush] are another step in that direction.”

Smith added, “Though we have much more to do in order to achieve a lasting piece, it is my hope that the momentum [Bush spurred] toward that goal continues to grow.”

The conflict in Darfur began in early 2003, when local militias called Jingawit began raiding and destroying the villages of fellow Muslim Darfurians in a campaign backed by the Sudanese government in Khartoum.

In his May 8 address, Bush said: “About 200,000 people have died from conflict, famine and disease. And more than 2 million were forced into camps inside and outside their country [mainly in Chad], unable to plant crops or rebuild their villages. I’ve called this massive violence an act of genocide because no other word captures the extent of this tragedy.”

At the same time, Bush made clear the immediate U.S. goals in Darfur: “We want civilians to return safely to their villages and rebuild their lives. That work has begun, and completing it will require even greater effort by many nations.”

He added, “The European Union, and nations like Canada, the United Kingdom, the Netherlands and Japan have taken leadership on other humanitarian issues, and the people of Darfur urgently need more of their help now.”

With that in mind, Bush sent Secretary of State Condoleezza Rice to New York May 9 to work for more assistance for Darfur at the United Nations.

A State Department fact sheet released after the president’s speech touched on the scale of the humanitarian crisis, noting, “The United States continues to be the largest single donor to Sudan, providing more than 85 percent of the food distributed by the [U.N.] World Food Program (WFP), more than \$300 million in other humanitarian assistance for Darfur and \$1.3 billion in fiscal year 2005 funds overall to both Darfur and other regions of Sudan.”

With the immediate goal of restoring food rations, the document said, the U.S. government “is taking numerous steps to help enable WFP to restore full food aid rations in June and July, including immediately shipping 2,850 metric tons of non-cereal commodities valued at \$5.1 million to Sudan,” in addition to the purchase of 40,000 metric tons of food promised by Bush.

In addition to immediate food aid, the U.S. government also has provided \$16.8 million for initiatives aimed at alleviating violence against women in Darfur. This includes funding for rape centers and providing for protection of women as they go about their daily chores.

The fact sheet is available on the State Department Web site: <http://www.state.gov/r/pa/prs/ps/2006/65971.htm>

U.S. TO SEND \$10 MILLION IN HUMANITARIAN AID TO PALESTINIANS

Rice blames deteriorating Palestinian conditions on Hamas

By David Shelby
Washington File Staff Writer

Washington -- The international community is concerned deeply about the reported shortages of medicine and health care equipment in the Palestinian Territories and will work to address the problem, according to Secretary of State Condoleezza Rice, but she places the blame for the Palestinians’ deteriorating situation squarely on the shoulders of the Hamas-led government.

“No one wants to see the Palestinian people suffer. And indeed, the United States is going to make available \$10 million in-kind, of contributions of essential medicines and supplies, because we are concerned about the

humanitarian situation in the Palestinian Territories,” she told reporters May 9 following a meeting at the U.N. Security Council. “We’ve been very clear that we intend to keep humanitarian aid flowing to the Palestinian people.”

But she insisted that the international community cannot allow Hamas to shift the blame for the current state of affairs away from itself.

“Hamas has a responsibility to prevent the descent ... of conditions for the Palestinian Territories into a situation of deprivation,” she told the Associated Press editorial board May 8. “Now, the way that Hamas does that is it finally comes online in terms of some actually very simple requirements of the international community. Just recognize the peace process is the only way that you’re going to make life better for your people ... and then the international community will support a Palestinian government that is trying to provide for its people and is also committed to peace.”

While in New York, Rice is meeting with representatives of the Quartet for Middle East Peace, which includes the European Union, Russia, the United Nations and the United States, to discuss humanitarian aid for the Palestinians and Hamas’ continued defiance of the international community’s demands.

Shortly after Hamas swept to victory in January’s Palestinian legislative elections, the Quartet issued a statement calling on the organization to renounce violence, recognize Israel’s right to exist and respect previous agreements between Israel and the Palestinian Authority.

Rice said it is not just the international consensus but also the Arab consensus that the Israeli-Palestinian conflict should be resolved through a negotiated two-state solution.

She said no country wants to deal with a Palestinian government that finds reason to celebrate when there are suicide bombings in Tel Aviv [Israel].

“Everybody’s concerned about the status of Palestinians,” she said. “And nobody wants to see deprivation and nobody wants to see essential services not delivered. And so I think there will be a lot of discussion about how to do that. But I don’t think that you’re going to see any movement on the view that Hamas is the party that needs to make a change.”

U.S. PROHIBITS ALL TORTURE; 103 TROOPS COURT-MARTIALED FOR ABUSE

Officials report on U.S. position to U.N. Committee Against Torture

By Vince Crawley
Washington File Staff Writer

Washington – U.S. law forbids torture under any circumstances anywhere and anyplace, senior Bush administration officials told the United Nations Committee Against Torture in Geneva on May 8.

John B. Bellinger III, the State Department’s senior legal adviser, said 103 American military personnel have faced court-martial trials for cases involving the mistreatment of detainees in U.S. custody. Of those trials, 89 resulted in federal convictions.

Charles Stimson, a Pentagon official, told the U.N. committee that the controversial procedure of interrogation known as “waterboarding” is now prohibited by Army regulations.

Stimson was part of the high-level U.S. delegation, led by Bellinger, that presented the United States’ formal report on the Convention Against Torture May 5-8. The United States is among 141 nations that are party to the U.N. Convention Against Torture, which requires signatories to submit reports on their treaty compliance every four years.

Bellinger told reporters in Brussels, Belgium, in advance of the U.N. committee meeting that the United States was sending a large delegation -- more than two dozen U.S. government officials -- “to demonstrate that we take the process very seriously.”

He gave an oral presentation May 5 and also submitted 184 pages of written responses to questions by the committee. Those responses have been made public by the U.S. government, as have follow-up questions Bellinger answered May 8.

“Let me be very clear about our position,” Bellinger told the U.N. Committee May 8. “U.S. officials from all government agencies are prohibited from engaging in torture, at all times, and in all places.”

Further, he said, “every U.S. official, wherever he or she may be, is also prohibited from engaging in cruel, inhu-

man or degrading treatment or punishment, as defined by our obligations under the Convention Against Torture. This is the case even in situations where the law of armed conflict applies.”

Bellinger has argued that the United States believes the Convention Against Torture primarily applies to civil-law situations and that another body of international law covers armed conflict. In any event, he added, both bodies of law prohibit torture and cruel, inhuman or degrading treatment of those in custody.

Stimson, deputy assistant secretary of defense for detainee affairs, addressed the U.N. committee to discuss actions taken against U.S. military personnel who have been accused of mistreating detainees in Iraq, Afghanistan and elsewhere.

He said “waterboarding” – a form of simulated drowning – “is not listed in the current Army Field Manual and therefore is not permitted for detainees under DoD [Department of Defense] control.” The revised Army Field Manual specifically prohibits waterboarding, Stimson added.

Recounting legal actions that have been taken against soldiers accused of mistreating detainees, Stimson said, “Of the hundreds of thousands of service members who are or have been deployed in Afghanistan and Iraq, there have been approximately 800 investigations into allegations of mistreatment, including approximately 600 criminal investigations.” In many cases, no misconduct was found. Administrative, disciplinary and judicial measures have been used against more than 250 service members, and 170 investigations are still under way, he said.

“To date, there have been 103 courts-martial; 89 service members were convicted – an 86 percent conviction rate,” Stimson told the committee. “Moreover, 19 service members received sentences of one year or more. Furthermore, more than 100 service members have received nonjudicial punishment; more than 60 were reprimanded; and to date, 28 service members were involuntarily separated from military service. Accountability is ongoing.”

Answering a question from the committee about whether supervisors have been investigated or held accountable, Stimson said, “The answer is emphatically yes.” Transcripts of U.S. statements before the U.N. Committee Against Torture are available on the Web site of the U.S. Diplomatic Mission to the United Nations in Geneva: <http://www.usmission.ch/>

OFFICIAL DEFENDS PROPOSAL ON FOREIGN INVESTMENT IN U.S. AIRLINES

Transportation Department’s Shane explains effect on EU open skies pact

By Bruce Odessey
Washington File Staff Writer

Washington -- A top U.S. Department of Transportation (DOT) official tried to defend before a Senate subcommittee a proposal for giving foreign investors some opportunity to influence commercial decisions at U.S. airlines.

Deputy Transportation Secretary Jeffrey Shane told a Senate Commerce subcommittee May 9 that the Bush administration proposal, revised just days earlier, would not remove actual control of any U.S. airline from U.S. investors.

He added that the European Union (EU) decision on approving an open-skies aviation agreement with the United States depends on the outcome of the rule-making. The EU reportedly has pushed back its decision on the pact from June to October.

“That agreement has the potential to fundamentally transform the framework for transatlantic air services, dramatically increasing the quality of competition in the market,” Shane said. “It would benefit U.S. airlines, consumers and communities on both sides of the Atlantic, transcending anything we have yet achieved through our existing open-skies accords.”

The revised proposal, published May 3, now has entered a period for public comments. Shane emphasized that the department has issued no final rule.

No change is under consideration for amending an existing 1940 law, which restricts foreign ownership of voting shares in U.S. airlines to 25 percent. The proposal would change how the regulations implement the law, however.

Under the existing regulations, foreign investors can have no influence on any operations of a U.S. airline in which they invest. Under the proposed rule, the majority U.S. investors could delegate to foreign investors control over some commercial decisions, such as what routes to fly and what aircraft to buy and sell, Shane said.

He said that the struggling U.S. airline industry needs to attract more foreign investment and that foreign investors need to have some incentive to invest capital.

The proposed changes also would allow foreign investors to hold up to 49 percent of the equity in a U.S. airline even though they could control no more than 25 percent of the voting shares.

Those changes would apply only to foreign investors from countries that have open-skies agreements with the United States and allow reciprocal investment rights to U.S. investors in their airlines -- not to countries with state-owned airlines, Shane said.

Democratic senators scorned the proposal, and most Republican senators expressed concerns about it.

"Foreign ownership and control of U.S. airlines is a concern to me," Democratic Senator Byron Dorgan said.

Senators were concerned most about whether the influence of foreign investors might compromise U.S. national security. The U.S. government has authority to command U.S. civil airlines' aircraft for defense, such as troop movements.

Shane indicated the proposal would enhance U.S. airlines' defense capability by assuring their continued existence. Foreign investors would have no influence on management issues related to safety, security or national defense, he said.

Senators also expressed concern about whether foreign investors might decide to halt low-profit service to rural areas of the United States, such as Montana, home state of Senator Conrad Burns, Republican chairman of the subcommittee.

Shane said foreign investors in U.S. airlines would have the same attitude toward setting routes that U.S. investors do.

"It is the incentive to make money in the airline business," Shane said. "To the extent that an investment is attractive to a foreign citizen, it will be because there is the possibility of earning a return on that investment."

The full text of the May 3 revised proposal is available on the DOT Web site:
<http://dmses.dot.gov/docimages/p85/397203.pdf>

Pleases Note: Most texts and transcript mentioned in the U.S. Mission Daily Bulletin are available via our homepage: <http://geneva.usmission.gov/>

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